

TELEFAX COVER SHEET

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TO: Commissioner for Patents
FAX NO.: 703-872-9302
FROM: Keith Taboada, Esq.
DATE: September 17, 2002
MATTER: Serial No. 09/921,588 Filed: August 2, 2001
DOCKET NO.: 5646/CMP/CMP/RKK
APPLICANT: Withers, et al.

FAX RECEIVED

SEP 17 2002

GROUP 3700

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition
☐ Disclosure Statement & PTO-1449
☐ Priority Document
☐ Drawings (sheets) informal
☐ Amendment
☒ Response to Office Action (14 pages)

☒ Transmittal Letter (2 copies)
☒ Fee Transmittal (2 copies)
☒ Deposit Account Transaction
☒ Facsimile Transmission Certificate
dated September 17, 2002

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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Allyson M. DeVesty
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Allyson M. DeVesty 9-17-02
Signature and date

RESPONSE TO OFFICE ACTION
S/N 09/921,588
Page 9 of 14

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on September 17, 2002 and is addressed to the Commissioner for Patents, Box Fee Amendment, Washington, DC 20231, Facsimile No: (703) 872-9302.

Allyson M. DeVesty
Signature

Allyson M. DeVesty
Printed Name of Person Signing

9-17-02
Date of signature

PTO/SB/21 (08-00)

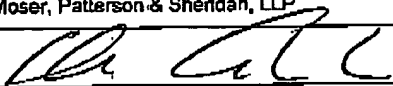
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/921,588
	Filing Date	August 2, 2001
	First Named Inventor	Withers, et al.
	Group Art Unit	3723
	Examiner Name	Hadi Shakeri
Total Number of Pages in This Submission	Attorney Docket Number	5646/CMP/CMP/RKK

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Office Action (14 pages)
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Keith Taboada, Esq. Moser, Patterson & Sheridan, LLP
Signature	
Date	September 17, 2002

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/921,588
Filing Date August 2, 2001
First Named Inventor Withers, et al.
Examiner Name Hadi Shakeri
Group / Art Unit 3723
Attorney Docket No. 5648/CMP/CMP/RKK

TOTAL AMOUNT OF PAYMENT (\$) 36

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

20-0782

Deposit
Account
Name

Moser, Patterson & Sheridan, LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.18 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
29	27**	2	36
Independent Claims	4	0	0
Multiple Dependent			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 36)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	820*	112	820*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,860	228	930	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavailability	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	820	244	410	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (e)	
125	180	125	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
145	740	245	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	800	169	800	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Name (Print/Type)	Registration No. Attorney/Agent	Telephone
Keith Taggard, Esq.	43,150	(732) 530-9404
Signature		Date
		September 17, 2002

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RESPONSE TO OFFICE ACTION
S/N 09/921,588
Page 1 of 14

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

#5/amata
9/22/02
Egembry

Applicant: Withers, et al. ✓

Case: 5646/CMP/CMP/RKK

Serial No.: 09/921,588 ✓

Filed: August 2, 2001 ✓

Examiner: Shakeri, Hadi

Group Art Unit: 3723

Title: MULTI-PORT POLISHING FLUID DELIVERY SYSTEM

COMMISSIONER FOR PATENTS
Box Fee Amendment
Washington, D.C. 20231

SIR:

RESPONSE TO OFFICE ACTION DATED JULY 5, 2002

In response to the Office Action dated July 5, 2002 (Paper No. 3), having an extendable shortened statutory period for response set to expire on October 5, 2002, please reconsider the claims pending in the application for the reasons discussed below. The Commissioner is authorized to charge Deposit Account No. 20-0782, along with any other fees to make this response timely.

IN THE CLAIMS

A) Please replace the following claims as indicated:

A1
3. (Amended) The system of claim 2 further comprising a second flow control device coupled to the second nozzle.

A2
12. (Amended) The system of claim 1, wherein the first nozzle is disposed radially inward of the second nozzle relative to a center of rotation of the polishing pad, and wherein the first flow is at least 1.15 time greater than the second flow.

09/23/2002 EMBRY 00000013 200782 09921588